

2025 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1493

2025 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee Room JW327C, State Capitol

HB 1493
2/11/2025

A BILL for an Act to repeal section 54-60-31 of the North Dakota Century Code, relating to the office of legal immigration.

9:45 a.m. Chairman Warrey opened the hearing.

Members Present: Chairman Warrey, Vice Chairman Ostlie, Vice Chairman Johnson, Representatives Bahl, Brown, Christy, Finley-DeVille, Grindberg, Kasper, Koppelman, D. Ruby, Schatz, Schauer, Vollmer

Discussion Topics:

- Integration into the workforce
- Employer needs
- Good Life Program
- Population redistribution
- International talent network

9:46 a.m. Representative Nico Rios, District 23, Williston, ND, introduced and testified.

10:07 a.m. Lanny D. Kenner, Bismarck, ND, testified in favor and submitted testimony #36979

10:09 a.m. Katie Ralston Howe, Director, Workforce Development, ND Department of Commerce, testified in opposition and submitted testimony #36999, #37061.

Janna Pastir, Assistant Director, Workforce Development, ND Department of Commerce, testified in opposition.

10:48 a.m. Derrick Gross, Executive Director, Communities Acting Together for Change and Hope (CATCH), testified in opposition and submitted testimony #37062.

10:55 a.m. Brittany Blake, Corporate Counsel, Altru Health Systems, testified in opposition and submitted testimony #37078.

11:01 a.m. Aaron Brennan, ND Hospital Association, testified in opposition and submitted testimony #37084.

11:07 a.m. Brekka Kramer, Economic Development Association of ND, testified in opposition and submitted testimony #36988.

Additional written testimony:

Leslie Icenogle, ND Corn Growers Association, submitted testimony in opposition #36903.

Andrea Pfennig, Vice President, Government Affairs, Greater North Dakota Chamber, submitted testimony in opposition #36904.

William S. Patrie, Bismarck, ND, submitted testimony in opposition #36915.

Keli Rosselli-Sullivan, Minot Area Chamber EDC, submitted testimony in opposition #36994.

Ryan Mickelsen, SMP Health, St. Aloisius, submitted testimony in opposition #36691.

Nikki J. Wegner, ND Long Term Care Association, submitted testimony in opposition #36842.

Megan Fuller, Jamestown, ND, submitted testimony in opposition #36862.

Scott Heidinger, Jamestown, ND, submitted testimony in opposition #36872.

Dawn Kopp, Bismarck, ND, submitted testimony in opposition #36876.

Martin Toepke-Floyd, Jamestown, ND, submitted testimony in opposition #36897.

Reverend Robert Boyar, Jamestown, ND, submitted testimony in opposition #36939.

Cale Dunwoody, Fargo Moorhead West Fargo Chamber of Commerce, submitted testimony in opposition #36974.

Terri Hedman, Fargo, ND, submitted testimony in opposition #36991.

Stacy Kusler, Workforce Specialist, UND Center for Rural Health, submitted testimony as neutral #36996.

Sargianna Wutzke, Bismarck, submitted testimony in opposition #36997.

11:10 a.m. Chairman Warrey closed the meeting.

Diane Lillis, Committee Clerk



SMP Health

St. Aloisius

325 Brewster St E; Harvey, ND 58341

Hospital Phone: (701) 324-4651

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February 10, 2025

House Industry, Business and Labor Committee

600 East Boulevard Avenue

Bismarck, ND 58505

Subject: Opposition to HB 1493-Relating to the Office of Legal Immigration

Dear Committee Members,

I am writing to express my strong opposition to HB 1493, which proposes to eliminate the ND Office of Legal Immigration.

Rural Hospitals, Clinics, and Skilled Nursing Facilities are facing critical workforce shortages and limited resources. Legal Immigration has been an avenue to provide much-needed human resources to continue providing the high quality of care that is found throughout rural ND.

Recently, in collaboration with the ND Office of Immigration, I was able to recruit a family with children to my facility and community, filling three open front line staff positions that I have been advertising as open for over 1 year. Filling these front-line positions has taken pressure off of my long term staff and brings stability to these departments that has not been realized since pre-covid. Due to the overwhelming success of this process, in collaboration with the ND Office of Immigration, I have successfully recruited a second family which will bring a resource to nursing, the greatest need in healthcare currently.

Maintaining the ND Office of Immigration provides employers in rural ND the resources needed to not only recruit much needed staff to their organizations, the ND Office of Immigration also provides resources and knowledge to assist those new North Dakotans to integrate into the community.

In order to continue to maintain the highest quality of care in rural ND, the ND Office of Immigration is a much-needed resource to continue recruiting and retaining the human resources required.

Sincerely,

Ryan Mickelsen
Pres/CEO

Testimony Relating to Office of Legal Immigration
House Industry, Business and Labor Committee
January 13, 2025
House Bill 1493

Chairman Warrey and members of the committee, thank you for the opportunity to provide testimony. My name is Nikki Wegner, and I am the President of the North Dakota Long Term Care Association. We represent 182 nursing facilities, basic care facilities, and assisted living facilities. I am writing to express my **opposition to House Bill 1493**, which proposes repealing the **Office of Legal Immigration**—a critical resource in addressing North Dakota’s workforce challenges.

As you know, North Dakota is struggling with workforce shortages across many industries, and long term care is no exception. Our ability to provide care to some of the state’s most vulnerable citizens, seniors and individuals with disabilities depends on a stable and reliable workforce. The Office of Legal Immigration was created to help address this challenge by identifying solutions to attract and retain foreign-born talent. In the short time it has been operational, this office has made significant progress in supporting long term care providers, even those who had never previously engaged in international recruitment efforts.

Through this office, our members have:

- **Gained valuable education and direction** on how to navigate legal immigration pathways for workforce recruitment.
- **Participated in informal pilot projects** that explore innovative solutions for bringing skilled workers into the state, despite federal immigration backlogs.
- **Connected with reputable companies** that help place work-authorized individuals into jobs that match their skill sets with our workforce needs.

These solutions take time to develop, but they are critical steps in solving our workforce crisis. When we advocated for this office last session, our goal was to make North Dakota a leader in recruiting and retaining talent. Repealing this office now would be a step backward.

North Dakota’s long term care industry needs every tool available to recruit and retain employees. The **State Office of Legal Immigration** is one of those tools and eliminating it now would mean abandoning promising efforts before they have had the opportunity to bear fruit.

I urge you to vote **against** this bill and allow the office to continue its vital work.
Thank you for your consideration.

Nikki Wegner MS, OTR/L, President
North Dakota Long Term Care Association
1900 North 11th Street
Bismarck, ND 58501
(701) 222-0660
nikki@ndltca.org

Members of the House Industry, Business and Labor Public Hearing,

My name is Megan Fuller, and I am a near life-long resident of North Dakota. As a citizen of many years, I am writing to you to OPPOSE HB 1493.

America has long been a melting pot of all creeds, colors, and peoples. We have a long history of immigration-in fact, almost all of us would not be here if our ancestors had not immigrated to the US many moons ago. The US was built on immigrant labor-we have a long and storied history of it. Immigrants add value not only to our nation, but to our state. That is why I am writing to you, to recommend you do NOT PASS HB 1493.

North Dakota has long had issues with retaining and attracting people to work here-both nationally and internationally. Why are we trying to exclude immigrants from our great state? There is an overwhelming work-force shortage. According to the Job Service of ND, there are over 15,000 open positions currently. They estimate the reality of that is actually much higher. Why are we trying to shutter an agency that is working to bring families here, that WANT to work jobs we so desperately need filled?

Not only does the Office of Legal Immigration help to attract workers, immigrants also have a positive impact on our economy. According to the American Immigration Council, immigrants make up 4% of North Dakota's population-and have a buying power of 942.6 million dollars. That same group paid 275 million in taxes. Why are we trying to turn good folks, coming here to work, and spend, away? Why are we trying to shutter an agency that is working to attract and retain people who would love to be here, and are grateful for the opportunity?

I am firmly opposed to shuttering this agency. I ask that you DO NOT PASS HB 1493.

Thank you,

Megan Fuller

Jamestown, ND

Members of the House Industry, Business and Labor,

My name is Scott Heidinger, and I am a life-long resident of North Dakota. I am writing to you to OPPOSE HB 1493.

America has a long history of immigration. The USA has not been called a melting pot because we excluded immigrants. We are a nation of all creeds and colors. The majority of us would not be here if our ancestors had not immigrated to the US mere generations ago. The US was built on the backbone of immigrant labor, and it's safe to say we have a deep history of immigrant labor in this country. It is part of what makes America great. Immigrants add value not only to our nation, but to our state. That is why I am writing to you, to recommend you do NOT PASS HB 1493.

North Dakota has long had issues with retaining and attracting people to work here, both nationally and internationally. Why exclude immigrants from our great state? Not all that long ago, my family immigrated to ND and started a farm. My great grandfather went on to work in John Deere farming implement sales and provided for his family and spent his hard earned money here in the state of ND. I would like to know why we are trying to get rid of an agency that is working to bring families here who are wanting and willing to work jobs we so desperately need filled?

Not only does the Office of Legal Immigration help to attract workers, immigrants also have a positive impact on our economy. Why are we trying to turn good people coming here to work and enrich our economy, away? Why are we trying to get rid of an agency that is working to attract and retain people who would love to be here, and are grateful for the opportunity?

I am firmly opposed to shuttering this Office of Legal Immigration. I ask that you DO NOT PASS HB 1493.

Thank you,

Scott Heidinger

Jamestown, ND

Monday, February 10, 2025

House Industry Business and Labor
Chair and Committee Members

HB 1493: Oppose

I, Dawn Kopp, reside in Bismarck where I also own property. I have been fortunate to work with the local New American and refugee communities. Our New American neighbors have worked tirelessly on average for 9 years to gain entry into the United States of America as legal immigrants; many have waited even longer.

Our New American neighbors are hard-working medical professionals, entrepreneurs, lawyers and legal assistants, city planners and farmers, and fill many job opportunities that are open across our great state of North Dakota. They pay income, sales, and property taxes. They donate their time and money to local causes. They take care of their neighbors, families, and communities - everything my ancestors did not much more than a century ago.

The Office of Legal Immigration staff are dedicated public servants who work to make North Dakota an even more prosperous state by working closely with the individuals and families who seek to legally make North Dakota their home.

I strongly encourage your DO NOT PASS recommendation and opposition to HB 1493 as I wholeheartedly do.

Best,



Dawn Kopp
Bismarck, ND

HB 1493– Relating to the office of legal immigration

February 10th, 2025

I write in opposition of HB 1493 which would close the North Dakota State Office of Legal Immigration.

Having moved here from my native California, I have lived in North Dakota for over 30 years, and seen first hand how immigrants from other parts of the world have contributed to the essential workforce of this State.

Without nurses and CNA's from overseas who come here legally, our nursing homes would not be staffed and our elderly would not be cared for.

Without agricultural workers from other countries, our crops would not get harvested, the honey bee industry would collapse, and dairy cows would not get milked.

Those are the industries I have personally seen which are dependent on immigrant labor, and I am sure there are many others.

The State has a compelling interest in helping private employers, farmers and factor owners find and recruit willing workers from all sources – both within the borders of the US and beyond.

Legal immigrants contribute not just their labor, but their talents, their culture, their devotion and their love.

I lived in Wishek, ND, for 25 years, and came to appreciate the “Germans from Russia” cultural heritage so prominent in that community and surrounding ones.

I also recognize that new waves of immigration are already changing the character of that community, but that is only natural in the development of our State.

Rep. Nico Rios may have come from Chicago to find opportunity here, but his antisemitic and xenophobic attitudes he brought with him, are not welcome here in our State, nor are they helpful for the common good of old and new residents alike who seek to make it their home.

So please oppose HB 1493 and keep the welcome mat out for all people regardless of where they hail from.

Martin Toepke-Floyd, Jamestown, ND



In Opposition to HB 1493
House Industry, Business and Labor
February 11, 2025

Chairman Warrey and Committee members:

For the record, my name is Lesley Icenogle. Thank you for the opportunity to testify on behalf of the North Dakota Corn Growers Association (NDCGA) in opposition to House Bill 1493.

North Dakota has a widespread labor shortage that is particularly acute in agriculture. The state simply does not have enough people to fill its labor needs. Legal, foreign-born workers are part of the solution. The seasonal H2A and H2B visa programs are critical for farmers across commodities and further down the value chain. According to Job Service North Dakota, H2A applications have increased from 327 in 2013 to 1,097 in 2023, and H2B applications have increased from 45 to 155.

HB 1493 eliminates the Office of Legal Immigration created by the 68th Legislative Assembly. This removes an important resource for employers at a time when workforce is a major challenge. The Office of Legal Immigration completed a thorough study during the interim to guide their work this biennium; it does not make sense to discard this investment.

NDCGA urges a Do Not Pass recommendation on HB 1493 to continue supporting legal immigration as a workforce solution. Thank you for your consideration.



GREATER NORTH DAKOTA CHAMBER
HB 1493
House Industry, Business, & Labor Committee
Chair Jonathan Warrey
February 11, 2025

Mr. Chairman and members of the Committee, my name is Andrea Pfennig, and I am the Vice President of Government Affairs for the Greater North Dakota Chamber. GNDC is North Dakota's largest statewide business advocacy organization, with membership represented by small and large businesses, local chambers, and trade and industry associations across the state. We stand in **opposition** of House Bill 1493.

Labor availability has been identified as the top business concern facing companies in North Dakota. In our 2024 ND Economics and Employer Survey of our membership, 70% of respondents indicated they were having trouble hiring employees.

We feel that the Office of Legal Immigration can be a valuable tool to help connect employers with immigrants and New Americans that here legally in the country and seeking to enter the workforce. This past biennium, a number of steps have been taken to set the Office up. Eliminating it before it has had an opportunity to be fully functional would be premature.

We hope you will continue to support this resource for addressing workforce shortages. Thank you for your consideration.



Testimony of Bill Patrie regarding HB 1493

Mr. Chairman and members of the House Industry, Business and Labor committee. My name is Bill Patrie and I served as the director of the economic development commission while George Sinner was governor. I started work in 1985 and early in my tenure in office came to understand rural communities could not out compete major urban places for the attraction of workers. North Dakota graduates were leaving North Dakota rural communities and not coming back. In 1989 during the state's centennial celebration I worked with many rural school districts to compile alumni lists of people who had moved out of state. Our working group estimated that over 300,000 high school graduates had left the state of North Dakota by 1989. I came to understand they were not the target for recruiting back. It became clear to me that the target for recruitment were those people who's lives would be better off here than where they were currently living. I talked with historians who understood immigration, they helped me understand the two forces affecting migration. The first is a push force that compels people to leave their home. Those forces were famines, wars, crime, persecution, or the lack of any jobs. The pull forces were the availability of jobs, and welcoming communities that wanted newcomers. The most famous pull force was the Homestead act. The State had an office of immigration since 1890 which operated until 1933. The 2023 Legislature created the Department of Legal Immigration once again hoping to find ways to attract foreign born folks to North Dakota. My wife and I have been involved in sponsoring two families from the Ukraine under a program called Humanitarian Parole. In both cases those families were pushed out of the Ukraine and attracted North Dakota because of our sponsorship and employment opportunities. In the first case, the husband works for an oil company in Dickinson, and the second case, the husband works as a mechanical engineer for a company that contracts with Dakota Gas in Beulah. The folks on humanitarian parole were granted permission to work and live in the United States for two years. Previous similar programs (there were about 19 of them) existed since the end of World War II. In many of those cases such as the Vietnam war, those folks were granted a path to citizenship. I am hopeful the current administration will consider that option as well. In most cases those beneficiaries are working, have social security numbers and don't have a home country to go back to. The Department of Legal immigration may find fertile ground to recruit those folks from other states if communities in North Dakota want them and can help convince the administration to grant them legal protective status after the two years parole ends. There are something like 800,000 humanitarian parolees in the United States all here legally with sponsors who have met them at airports and provided housing for them. North Dakota has already experienced some success with this program in Carrington, Bottineau, Harvey, Dickinson, Bismarck, Grand Forks, Valley City and Fargo. Rural North Dakota already employs over 3,000 foreign born farm workers from nearly a thousand farmer sponsors. Foreign born people are teaching in our schools and colleges, working in our hospitals and nursing homes and thousands are students in our colleges. I am very glad the 2023 legislature created the office of Legal Immigration and they have much work to do to help grow our communities. I urge you to vote no on this bill and actively support the work of this department.

I would be glad to answer an questions.

Dear Chair and Members of House Industry, Business and Labor Committee. My name is Rev. Bob Boyar, Pastor of United Presbyterian Church, Jamestown, North Dakota for over nine years. I write in opposition to HB1493 relating to the office of legal immigration.

In my tenure as Pastor of United Presbyterian Church in Jamestown I have served as an advocate for the immigrant community in Jamestown. These hard-working people serve in many capacities at Anne Carlsen Center, Ave Maria nursing home and assisted living, Eventide nursing home and assisted living, Edgewood nursing home, Jamestown State Hospital, Jamestown Correctional Center, Cavendish, Collins Aerospace, University of Jamestown, Farmers Union, Walmart, Beekeepers, Farms, Hotels and restaurants. They are a vital part of our community. Without them the economy would suffer.

The different countries that I am familiar with are Liberia, Ethiopia, Philippines, Congo, Cameroon, Somalia, Ukraine, South Africa, India, and Norway. There are quite a few different languages spoken in Jamestown. The nurses from the Philippines are excellently trained.

We have recently hired a Liberian immigrant as our Christian Education Coordinator at United Presbyterian Church. He is known throughout the Liberian Community of Jamestown and owns Jaycon Grocery store which services the African Community. He is also a Rotarian like myself, which offers service above self.

The state needs the office of legal immigration to serve as an advocate to attract and retain hard-working people like I know here in Jamestown and in neighboring communities.

Thank you for your service to the people of North Dakota and the time and effort you have invested in making an informed decision on this bill.

Sincerely,

Rev. Bob Boyar



Letter of Opposition – HB 1493

Tuesday, February 11th, 2025

Chairman Warrey and Members of the House Industry, Business, and Labor Committee,

For the record, my name is Cale Dunwoody, and I have the distinct pleasure of serving as the Vice President of Public Policy for the Fargo Moorhead West Fargo Chamber of Commerce (FMWF Chamber). On behalf of our over 1,700 members, I respectfully offer testimony in opposition of House Bill 1493.

At the FMWF Chamber, our mission is to protect and promote business, inspire individuals, cultivate communities, and influence action. Across the nation, employers are struggling to attract and retain employees. As of November 2024, North Dakota's Labor Force Participation rate trends well above the national average at 68.9% and our state unemployment rate is among the lowest in the nation at 2.4%. Our low unemployment rate, coupled with high labor force participation rates, suggest that most individuals who are able and willing to work are already employed, amplifying the challenge for employers seeking to fill the 14,000+ openings statewide. Our state must strive to compete on a global scale for the workforce to fill our thousands of open jobs. To do this, both the public and private sectors must work together to identify creative, innovative, and multi-pronged solutions. We believe legal immigration is pivotal to addressing this crisis and serves as a critical component of a comprehensive workforce solution.

Many business and industry leaders throughout our region have shared their desire to look beyond our nation's borders to fill open jobs but are often faced with several challenges. For example, many businesses do not have immigration experts on staff, nor do they have access to the necessary information, resources, and legal services in their communities to assist in the hiring of immigrants. The Office of Legal Immigration provides businesses with the support they require to attract, retain, and develop talent from across the globe. Because of the vital services provided by this agency - we stand in firm opposition to its disbandment.

The workforce crisis our country is facing is complex and cannot be solved unilaterally. The Office of Legal Immigration establishes a strategic and creative solution to the challenges facing our businesses and communities.

We respectfully urge the committee to give this bill a DO NOT PASS.

Sincerely,



Cale Dunwoody
Vice President of Public Policy
Fargo Moorhead West Fargo Chamber of Commerce

Lanny Kenner
District 7
Speaking In favor of house bill 1493

Chairman Warrey and committee members. I am speaking in favor of House Bill 1493 and asking the committee to pass this bill.

Why should the citizens of North Dakota have to pay to bring immigrants in to fill our jobs, many of them in Private industry? \$485,000 for a two position department is ridiculous and that's just the start of it. Burleigh county created a \$300,000 office for the same reason. At least they said when the \$300,000 runs out they will end it which may not be possible because once you bring these people in you end up housing them, feeding them and giving them free health care. This is completely different than when my ancestors came here. My grandparents had to assimilate, learn English, get jobs on their own and fend for themselves! They were proud when they would take the test and finally become United States citizens! We have become a nanny state with no accountability of the tax dollars spent.

North Dakota needs a department of government efficiency or D.O.G.E. for short! Many of the work shortages were caused by our very own government during COVID when people were forced to take the shot or be fired.

If private businesses want to bring immigrants in they can go through the proper channels and do so. Our tax dollars should not be used for private business purposes.

Please vote yes on House Bill 1493
to bring SOME credibility and don't waste our hard earned tax dollars!

Thank you!



PO Box 1091 • Bismarck, ND 58502
701-355-4458 • www.ednd.org

Testimony of Brekka Kramer
Economic Development Association of North Dakota
In Opposition of HB 1493
February 11, 2025

Chairman Warrey and members of the House Industry, Business and Labor Committee:

My name is Brekka Kramer, I am the President and CEO of the Minot Area Chamber EDC and a board member of the Economic Development Association of North Dakota (EDND), which represents economic development professionals across the state. EDND works to strengthen communities, grow our economy, and improve North Dakota's overall quality of life. We stand in opposition to HB 1493 which would repeal the Office of Legal Immigration, a critical resource for businesses and communities working to address workforce shortages.

Workforce availability is one of the biggest challenges facing North Dakota. Businesses in industries such as healthcare, manufacturing, technology, and agriculture struggle to fill open positions. Legal immigration is one tool that helps meet these workforce needs, and the Office of Legal Immigration was created to provide employers with guidance in navigating the hiring process, while also helping communities integrate new workers.

EDND has long worked alongside the North Dakota Department of Commerce to develop solutions that support business growth and workforce development. The Office of Legal Immigration is a key part of these efforts, serving as a hub to coordinate state resources and support businesses that rely on skilled workers from around the world. Eliminating this office would make it harder for North Dakota employers—especially in rural areas—to compete for talent and remain viable.

North Dakota must continue to be proactive in addressing workforce shortages. Other states are actively working to attract and retain legal immigrants to strengthen their economies, and repealing this office would put North Dakota at a disadvantage. Now is the time to expand workforce solutions, not eliminate them.

EDND urges the committee to give this bill a “Do Not Pass” recommendation and preserve the Office of Legal Immigration as a key resource for North Dakota’s economic future. Thank you for your time and consideration.

Terri Hedman, 5524 16 Street South, Fargo, ND 58104

Oppose HB 1493

Dear Committee and Chairperson:

Thank your for considering the potential negative consequences of this legislation. Legal migration is why many of us are Americans today. Previous generations seeking a better life worked the soil, raised families, and paid taxes. If you seek healthcare, you can often thank an immigrant for doing your surgery, meeting you in the Emergency Department, and delivering your babies. North Dakotans rely on immigrants, and there should be an efficient mechanism to assist businesses and the human beings who are attempting to navigate difficult immigrant processes.

Ending the Office of Legal Immigration sends the wrong messages including:

- North Dakotans are not warm and welcoming
- North Dakotans do not need your tuition dollars
- North Dakotans have plenty of employees
- North Dakotans do not need people with expertise in business, industry, or healthcare

Please oppose HB 1493.

Terri Hedman

5524 16 Street South

Fargo, ND 58104



Opposed for HB 1493
House Industry, Business and Labor Committee
Chairman Warrey
February 12, 2025

Chairman Warrey and Members of the House Industry, Business and Labor Committee,

I am Keli Rosselli-Sullivan, Workforce Development | Military Liaison of the Minot Area Chamber EDC (MACEDC). On behalf of the MACEDC and our over 600 member investors, I offer testimony in opposition of House Bill 1493 to repeal the Office of Legal Immigration.

The MACEDC mission is to advocate for and invest in business activity by being a collaborative partner in the community, focused on improving quality of life for all. MACEDC has five key strategic pillars, one pillar focuses on workforce development. We believe that House Bill 1493 would have a negative impact on the workforce environment of our great state.

Currently, for every unemployed person in North Dakota there are nearly three job openings available. Job Service North Dakota's most recent estimates as of Feb. 5 show over 15,000 known open jobs, up 14% from the previous month. The agency estimated as many as 40,000 openings could be available if all positions were advertised.

Businesses, including those in the Bakken, have attempted to recruit and retain workers from across the country but those campaigns often can't meet the full workforce needs. This led to efforts like Bakken GROW, which tapped into humanitarian programs with legal pathways for Ukrainian refugees to fill open positions in the oil fields. This program filled 60 positions in Western North Dakota, 10 to the Minot area alone.

It is crucial for our workforce to have assistance from the Office of Legal Immigration to help attract and retain workers from outside the country and give businesses resources to do so as well. Baby boomers are retiring and there are not enough children being born in our country to fill these jobs.

As a person who works to help our businesses attract and retain employees in our community, I ask for your support with opposing House Bill 1493 and am available for any questions you may have.

Thank you,

Keli Rosselli-Sullivan
Minot Area Chamber EDC Workforce Development | Military Liaison

February 10, 2025

House Industry, Business and Labor Committee

Re: HB 1493- Relating to the Office of Legal Immigration

Dear Committee Members,

My name is Stacy Kusler and I am the workforce specialist for the UND Center for Rural Health. I respectfully submit the following testimony for HB1493, regarding the Office of Legal Immigration (OLI).

I have worked with staff members of OLI over the past 18 months. OLI has been a welcomed addition to the efforts surrounding workforce recruitment and retention by offering resources and tools to connect with eligible candidates from outside of the US.

Many rural hospitals and healthcare facilities in the state employ individuals from outside of the US to fill vital positions. Navigating the immigration process can be confusing and intimidating, especially if the candidate has family members coming along, as well. The addition of the OLI since last biennium has offered a starting point for employers to begin the process of filling vacancies that contribute to patient care.

The Global Talent Summit, hosted by OLI in August in Bismarck, was a positive experience which provided attendees with new motivation and strategies for attracting and keeping workforce (and their families) here in the state. OLI has also hosted online webinars on immigration topics specific to healthcare, which were well attended.

Thank you,

Stacy Kusler, B.A, FASPR

Workforce Specialist

UND Center for Rural Health

Stacy.kusler@und.edu

HB 1493

Housing, Business and Labor

My name is Sargianna Wutzke, and I am writing to express my opposition to HB 1493, which will eliminate the North Dakota Office of Legal Immigration.

We continue to have a workforce shortage in North Dakota. The Office of Legal Immigration in our state has assisted with this critical issue in our state. The North Dakota Office of Legal Immigration has specifically assisted in the area of rural healthcare, assisting smaller communities in filling positions that have been open for a long period of time. The North Dakota Office of Legal Immigration has also been instrumental in assisting immigrants who are new to North Dakota with integration into the community they are calling home.

There have been many positive impacts in our state due to the North Dakota Office of Legal Immigration. I urge a DO NOT PASS on House Bill 1493 as the office has made a profound impact in North Dakota.

Sargianna Wutzke

Bismarck ND



Testimony In Opposition

HB 1493**House Industry, Business, & Labor**

February 11, 2025

TESTIMONY OF

Katie Ralston Howe, Director, Workforce Development Division

Chairman Warrey and members of the committee, I'm Katie Ralston Howe, Workforce Development Division Director for the ND Department of Commerce. I'm here in opposition to HB 1493. My goal today is to help you understand what our office does, the impact we're making, and why we need to continue serving the state.

I'm going to start by sharing what we don't do.

- We do not work directly with foreign-born jobseekers or assist with processing any part of an individual's Visa application or certification. In short, we do not work directly with any immigrants.
- We do not provide immigration or customs enforcement. This is a federal responsibility, and states are federally prohibited from acting in such capacity.
- We do not provide legal consultation.
- We do not certify employer jobs for Visa applications. Only the US Department of Labor can do this.

For these reasons and many others, we would like to change the name of the office to Global Talent Office to better reflect the work we're doing to help employers navigate the federal immigration process to address their workforce needs.

I want to stress that North Dakota companies who are utilizing the services provided by the Office of Legal Immigration and our partners must put American workers first. Only after they have demonstrated to the United States Department of Labor that they have exhausted all options to fill a position with an American worker, are they allowed to fill a job using a legal, work-based Visa employee.

The Office of Legal Immigration (OLI) was created by the 68th Legislative Assembly through SB 2142 and included the following as the office's main office objectives:

1. Develop and implement a statewide strategy to support recruitment and retention.
2. Advise and make recommendations to the governor, legislative assembly, and state agencies.
3. Implement a pilot program that supports businesses pursuing or employing work-authorized immigrants and supporting communities to develop integration plans and activities. (This is the OLI Grant Program that's open right now.)
4. Educate employers on labor mobility and connect them to resources, recruitment pipelines, and best practices.

Once the bill took effect on August 1, 2023, we immediately got to work by drafting and posting an RFP to contract a vendor to perform the statewide study required in the bill, reaching out to other states that have similar offices and national organizations to learn best practices, and gained entrance in the competitive Skilled Immigrant Integration Program through World Education Services. As we completed the review process and selected our vendor, it was revealed that the OMB bill would be taken up in the 2023 special legislative session. The operating dollars for the OLI were included in that bill, so we were advised to hold off on offering a contract to our vendor. This delay pushed the start of our work to early

December 2023. Once we had a contract in place, our partners at Dalberg Advisors and Labor and Mobility Partners (LaMP) started engaging with ND employers, community-based organizations (CBO), non-profits that serve immigrant communities, state agencies, colleges and universities, and more to identify the best way for OLI to serve the state. The final report, which shaped our strategies for activating the scope of work that was included in SB 2142, was published in May 2024. From there, we started engaging with national and international subject-matter experts to identify recruitment pipelines and programs that may be beneficial for ND employers, in addition to planning the first Global Talent Summit, held in August 2024. That event gave employers and CBOs opportunities to learn about visa programs and how to start the process, OPT pathways, recruiting work-authorized immigrants from other parts of the United States, and how to integrate foreign-born workers into their companies and communities. We have continued offering learning opportunities since the summit, and saw many employers start to formalize recruitment strategies with the recruiters they met through our work in October. Starting in December, foreign-born workers began working in the state using E3 Visas, secondary migration, and OPT pathways. When it comes to immigration processes, a four-month turnaround is incredibly fast.

Throughout the last 18-19 months, a big gap we've identified has been that employers haven't had the information or the awareness around how to hire from an international talent pool. OLI has and continues to provide education and resources to address this, while also building out strategies and pipelines to attract and retain each of the following populations:

- **International workers** are foreign-born workers who are currently abroad and may consider coming to the U.S. by way of an employment-based visa, some popular examples are H2A and H2B Visas for seasonal work, and H1B, EB3, L1 AND TN for advanced degree holders.
- **Secondary migrants** are foreign-born workers who have already settled elsewhere in the U.S. This includes refugees, long-term temporary protected status holders, and other immigrants who have proper work authorization from the federal government.
- **Recent arrivals** into the U.S. are foreign-born and hold a legal status, meaning have the legal right to work via an EAD or Employment Authorization Document.
- **Lastly, international students.** The goal is to not only retain the international graduates that come out of our North Dakota University System each year, but to also attract those graduates from other universities around the country. There are approximately 2,000 international students each year in North Dakota, but hundreds of thousands across the U.S. This is a group of educated and skilled professionals with the ability to fill some very critical roles. They also have a great desire to stay in the U.S. after graduation.

Although we're seeing growth in our workforce, we still have more jobs than people to fill them and the Office of Legal Immigration has become one of ND's biggest competitive advantages to recruiting workers. As I stated earlier, it's important to clarify that employers start recruiting internationally when they are unable to fill jobs with local talent. In order to get approval to fill a job with a work-based visa, employers must demonstrate to the US Department of Labor that they have been unsuccessful in filling the job with a North Dakota or U.S. based worker. To be clear, no jobs are being taken from local workers and being given to foreign workers. Employers are required to pay the prevailing wage in addition to covering any legal and visa related fees required to recruit a foreign-born worker. It is actually more expensive to recruit and hire internationally.

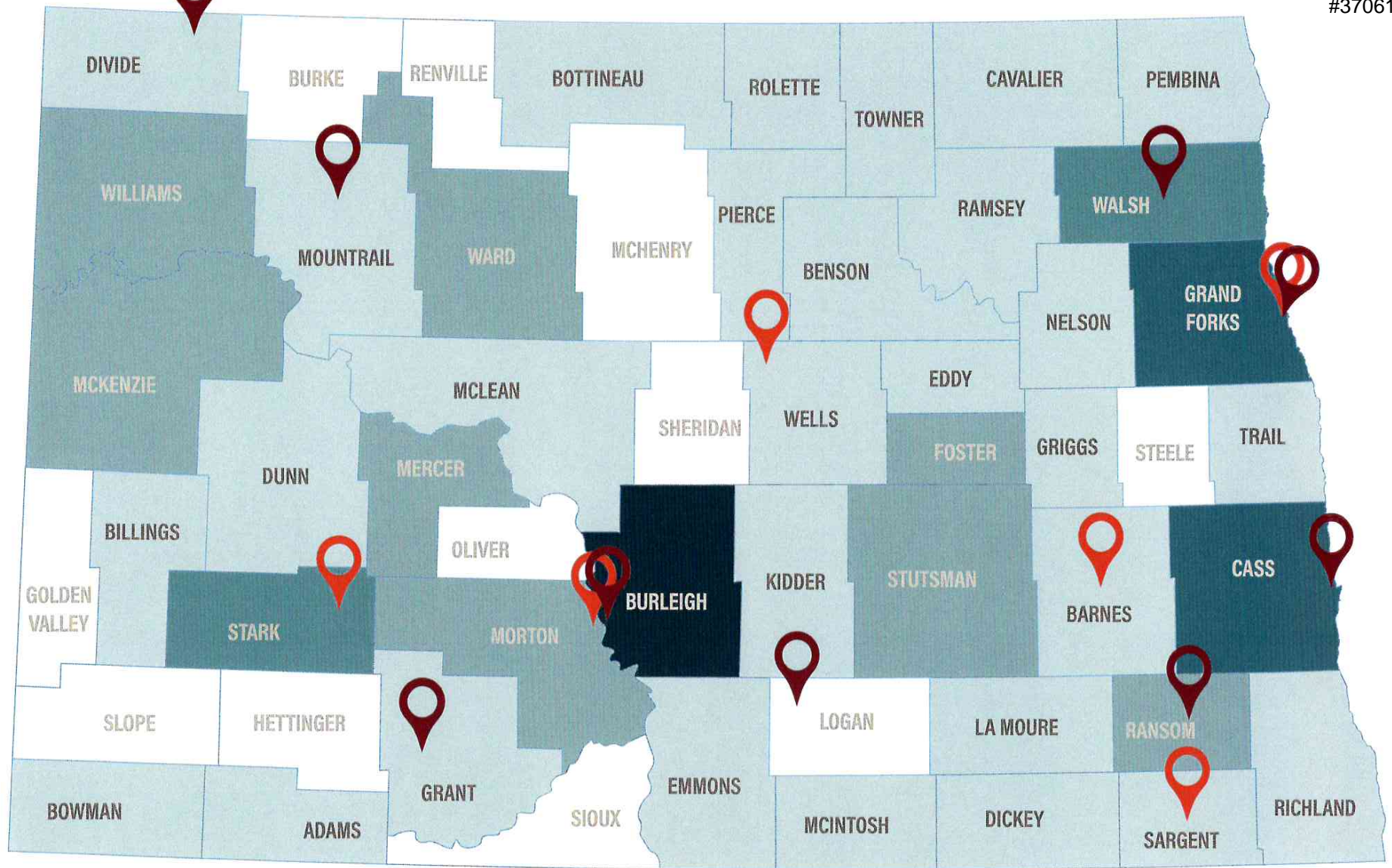
In closing, I want to highlight that North Dakota's office is incredibly unique not only in how it came to be, but in how we operate. Other states have offices, but none of them were created as an innovative workforce strategy like ours. In fact, last May, US immigration and citizenship office named us a "Best Practice" office, as we're essentially creating a playbook for how other states can support employers in utilizing legal immigration pathways to address their workforce needs. ND is shaping national conversations on immigration as a workforce solution.

I encourage a do not pass recommendation for HB 1493, as passing this bill would be detrimental to our state's workforce strategy and to employer recruitment efforts across the North Dakota.

Thank you.

Office of Legal Immigration Impact Map

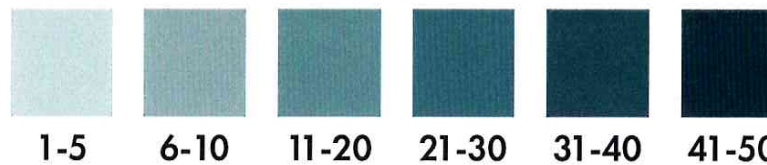
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NORTH
Dakota
Be Legendary.

Commerce

EDUCATIONAL IMPACT BY COUNTY



POSITIONS FILLED
USING PIPELINE

IN PROCESS OF
HIRING
USING PIPELINE

- **How many employees does the office have? 2 FTEs**
- **What are their title and salaries?**
 - Global Talent Administrator
 - Global Talent Coordinator (currently interviewing candidates to fill this position)
 - Salary information can be found here: [Employee Compensation Dashboard | Office of Management and Budget North Dakota](#)
- **How many legal immigrants have they worked with since the office opened?**
 - We do not work directly with any immigrants, though we have taken phone calls from immigrants seeking information about licensure, employers that provide sponsorship (we do not provide any employer names), or other more routine questions like where to find services or language classes. We connect ND employers and communities with organizations that serve/train/educate immigrants. This is how we help employers connect with pools of foreign-born talent, providing pipelines to thousands of legal immigrants, both domestically and globally.
- **What are their methods in making sure these immigrants are legal?**
 - This is handled by the federal government as all workers who are recruited through the partnerships we facilitate are either:
 - Participating in a visa program, which is established before they are hired by an employer, long before they ever enter the state;
 - Individuals who have been granted Temporary Protected Status by the federal government and have proper work authorization
 - Have a green card, or have become naturalized citizens;
 - International students who are attending a college/university and are eligible for 1-3 years of work authorization through Optional Practical Training (OPT).
 - The partners that we have connected employers to in order to gain access to qualified candidates in or outside of the United States follow the federal process for background checks required by the US Citizenship and Immigration Services and the home country of the individual if they are located outside of the U.S. Many employers (especially in industries like healthcare and education) also conduct their own background checks, in addition to the background checks that are required for occupational licensure applications.
- **How many of these immigrants have you found jobs for in ND?**
 - We do not provide job placement services to immigrants. We provide resources and legal pathways for employers to connect to qualified jobseekers. Employers can only recruit internationally if they and the job they are seeking to fill are approved by the U.S. Department of Labor.
 - The bill that established our office took effect in August 2023 and we spent the first year completing the statewide study required in SB 2142, building the office, establishing partnerships and recruitment pathways. Official recruitment efforts got underway just four months ago in October of 2024, with the first worker arriving in the state in December. In the last nine weeks, we know of nine jobs filled, with five more in progress since mid-December.
- **Any and all private organizations you guys work with in and out of North Dakota?**

- Bismarck Mandan Chamber EDC
- Bismarck State College
- Carranza Immigration Law, PLLC
- Carrington Chamber & EDC
- Cashman Nursery
- CATCH
- Centre Inc.
- CIERTO
- CIS Ombudsman
- City of Killdeer
- City of Watford City
- Cloverdale Foods
- Coal Country Community Health Center
- Community Healthcare Association of the Dakotas
- Construction Engineers
- CSI Global
- Dept of Health and Human Services
- DHS CIS Ombudsman
- Doosan Bobcat
- EAPC Architects Engineers
- Economic Innovation Group
- Environmental Quality
- Forum Communications Co.
- GAREX
- Global Neighbors
- Greater North Dakota Chamber
- H2 Pros
- Harmony Haven Therapy, PLLC
- High Plains Transport Inc.
- Home Exterior Doctor LLC
- Immigration Law Professionals
- Irish O&G
- Job Service North Dakota
- Jorazi Lounge
- Karlex Inc
- KLJ Engineering
- Knife River Care Center
- Leonardite Products
- Lund Oil Inc
- Maddock Memorial Home
- Marvin
- Microsoft
- Minnkota Power Cooperative

- University of Mary
 - University of North Dakota
 - USA Farm Labor
 - Victoria Street
 - Vision West ND
 - Western Products Inc
 - Williston Area Chamber of Commerce
 - Woodland Resort
 - Zipmi
-
- **Not just organizations you worked with, but also potential/future groups/businesses.**
 - At this time, I'm not able to predict future organizations or businesses with which this office may collaborate or serve.
 - **What would be your trajectory of total jobs filled by employers with the help of your office by the end of this biennium? What is your goal for the next biennium?**
 - The OLI does not have a numeric goal for the number of foreign-born workers employers hire to fill jobs. The Division has a continuum of workforce training and attraction programs with a goal to reduce the number of total job vacancies based on the needs of employers. With our collective strategies across the workforce system, Commerce looks at total average employment as a key metric by which we evaluate the success of the state's workforce strategy. Our goal is to work toward a 2% increase in total average employment, which is about 10,000 workers statewide. (Note: We use JSND Labor Market Information to monitor changes in workforce participation, job openings, etc.).



**Testimony in Opposition
to SB 1493 Relating
to the Office of Legal
Immigration**

TO: House Industry, Business, and Labor Committee Members
The sponsors of HB 1493

FROM: Derrick Gross- Executive Director:
CATCH- Communities Acting Together for Change and Hope

TOPIC: Opposition to HB 1493 Relating to the Office of Legal Immigration

Removing the Office of Legal Immigration from Century Code is a bad idea!

As the Executive Director of CATCH I have had the privilege to work with, learn from, and collaborate with the staff at NDOLI to bring positive change to multiple rural North Dakota Communities.

CATCH Envision vital rural communities full of hope, compassion, and opportunity for all.

Our mission is to prepare rural communities to welcome foreign born families as permanent residents.

Why would we want to do that?

Because, rural North Dakota employers need employees!

Because, rural North Dakota communities need families!

Because, safe and supportive communities are a rare reality in many parts of the world, but they are so common in rural North Dakota that we take them for granted.

Because we need to build hope- real opportunity for a positive future for those who desire their rural communities to grow and thrive and for those seeking a safe place to raise a family.

We do this work because, "They need us. We need them."

Senator Tim Mather

In this testimony I will focus on 'We need them.'

According to USAfacts.org: North Dakota's population grew 15.5% from the 674,752 people who lived there in 2010 (2022 pop. 779,261). For comparison, the population in the US grew 7.7% during that period.

ND has 401 census designated areas. Crunching some numbers from World Population Review tells us that from 2010 - 2024, 307 of those populations were in decline or had a population of less than 100, or both during the same period of great overall statewide growth referenced above.

For context: From 2010 - 2020 the top twenty population centers in ND accounted for over 95% of the growth.

From 2020 - 2024, the state continued to grow at about the same rate with the top twenty population centers accounting for 134% of the growth.

Note: Five of the top twenty: Beuhla, Devils Lake, Valley City, Grafton, and Minot AFB), were among the 307 in decline.

Putting all that in one statement: During a period of unprecedented statewide growth, over 75% of North Dakota is suffering because of outmigration.

The resettlement of foreign born families as permanent residents can be a part of the solution to that problem, and the Office of Legal Immigration is one of the key components.

One recently published argument in favor of HB 1493 was "There are enough people who are American citizens who are looking for work...."

I will rebut with two points:

- In 2002 when I was hired for my first teaching job I was one of 90 applicants for a single 4th grade position. During seven years as a school administrator it was common to be forced to hire the only applicant that applied or for positions to go unfilled with no applicants at all. Not just teaching positions. In 2024, serving in my final year as a principal, I had to learn how to fire and service the coal boiler because we were that short on custodians. Yes we advertised. No, we didn't receive qualified applicants.
- CATCH works with one employer that had an annual turnover rate of over 80% in a roughly 100 employee operation prior to bringing in foreign born workers. Today, the turn over rate in that organization is under 40%, and continuing to improve.

The Office of Legal Immigration understands all the facts I have shared and has proven to be instrumental in collaborating with organizations like CATCH to help solve the workforce and population decline challenges facing rural North Dakota. The State's investment in NDOLI is an investment in the workforce, the employers, the communities, and the State as a whole- the entire state!. And, it is one that will have a significant return on investment.

They need us. We need them!

2025 HB 1493**House Industry, Business and Labor Committee****Representative Warrey, Chairman****February 11, 2025**

Chairman Warrey and members of the House Industry, Business and Labor Committee, my name is Brittney Blake, Corporate Counsel of Altru Health System. I am here to testify in opposition to House Bill 1493 and ask that you give this bill a **Do Not Pass** recommendation.

As Corporate Counsel of a small North Dakota health system, I work hand in hand with our Human Resource Department and nursing leadership to address the nursing and health care workforce shortage throughout our system. Many of our positions have been open for a significant amount of time. Since the establishment of the North Dakota Office of Legal Immigration (OLI), our teams have utilized the resources the OLI has provided and report that the OLI events they have attended have been very helpful in developing our workforce strategies. Listed below are a few of the ways our organization has benefited from the OLI:

- Resources to expand our candidate pool to include qualified international candidates in high-demand occupations, specifically nursing.
- Exploration of a grant to support businesses pursuing or employing legal immigrants. We have been looking at opportunities to support the onboarding process, including an analysis of our current onboarding resources as they relate to individuals whose English proficiency is still developing.
- Placement of refugees and asylees who are already in the US but living in regions with a high cost of living.
- Awareness and resources for work visas in existing and established programs such as the TN visa and E3 visa.

Throughout 2024, Altru has prepared to implement several of these strategies to assist in expanding our sourcing for roles where there is not an extensive candidate pool available and is grateful for our partnership with the OLI as we address our workforce shortage.

Sincerely,

Brittney Blake

Corporate Counsel | Altru Health System



2025 HB 1493

House Industry, Business and Labor Committee

Representative Jonathan Warrey, Chairman

February 11, 2025

Chairman Warrey and members of the House Industry, Business and Labor Committee, I am Aaron Brennan from the North Dakota Hospital Association. I am here to testify in opposition to House Bill 1493. I ask that you give this bill a **Do Not Pass** recommendation.

North Dakota is facing a serious workforce shortage, especially in healthcare. According to the U.S. Chamber of Commerce, as of late 2024, our state had about 26,000 job openings but only 7,890 unemployed workers, meaning there are just 30 available workers for every 100 open jobs ([uschamber.com](https://www.uschamber.com)). This gap is hitting healthcare the hardest, with hospitals and clinics struggling to fill essential roles, particularly in rural areas.

To address this challenge, NDHA, through its subsidiary HSIolutions, is taking an innovative approach to tackle this shortage. Healthcare Talent Connect (HTC) is a technology platform focused on improving the way we recruit and retain healthcare professionals. HTC is built on two key components: a statewide resource pool and an international talent network.

- The statewide resource pool.
- The international talent network focuses on recruiting highly skilled foreign-trained workers who want to live and work in North Dakota, particularly in rural communities where the need is greatest.

The Office of Legal Immigration plays a critical role in helping HTC get off the ground and succeed. Recruiting foreign-trained healthcare workers isn't as simple as filling a job opening—it requires navigating complex visa processes, licensing requirements, and workforce integration efforts. The OLI's expertise in these areas is essential to making sure healthcare organizations can efficiently bring in international talent while also ensuring that North Dakota communities are prepared to support and retain these workers long-term. A recent example that comes to mind was their webinar on the E3 visa.

Without the OLI, healthcare organizations would be left to figure out these complicated processes on their own, creating more barriers, delays, and higher recruitment costs. Keeping the OLI in place ensures that HTC can move forward with the structure, resources, and expertise needed to make this initiative successful—helping North Dakota healthcare organizations recruit smarter, reduce costs, and provide better care to the patients who depend on them.

For these reasons, I urge you to oppose HB1493 and support the continued work of the Office of Legal Immigration. Thank you for the opportunity to testify. I would be glad to answer any questions.

Respectfully Submitted,

Aaron Brennan
North Dakota Hospital Association

2025 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee Room JW327C, State Capitol

HB 1493
2/17/2025

A BILL for an Act to repeal section 54-60-31 of the North Dakota Century Code, relating to the office of legal immigration.

11:01 a.m. Chairman Warrey opened the meeting.

Members Present: Chairman Warrey, Vice Chairman Ostlie, Vice Chairman Johnson, Representatives Bahl, Brown, Finley-DeVille, Grindberg, Kasper, Koppelman, D. Ruby, Schatz, Schauer, Vollmer

Member Absent: Representative Christy

Discussion Topics:

- New program
- Name changes

11:02 a.m. Representative Grindberg moved Do Not Pass.

11:02 a.m. Representative Bahl seconded the motion.

Representatives	Vote
Representative Jonathan Warrey	Y
Representative Mitch Ostlie	Y
Representative Landon Bahl	Y
Representative Collette Brown	Y
Representative Josh Christy	AB
Representative Lisa Finley-DeVille	Y
Representative Karen Grindberg	Y
Representative Jorin Johnson	N
Representative Jim Kasper	N
Representative Ben Koppelman	AB
Representative Dan Ruby	AB
Representative Mike Schatz	N
Representative Austin Schauer	AB
Representative Daniel R. Vollmer	Y

Motion passed 7-3-4.

11:07 a.m. Representative Grindberg will carry the bill.

11:07 a.m. Chairman Warrey closed the meeting.

Diane Lillis, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1493 ([25.1012.01000](#))

Industry, Business and Labor Committee (Rep. Warrey, Chairman) recommends **DO NOT PASS** (7 YEAS, 3 NAYS, 4 ABSENT OR EXCUSED AND NOT VOTING). HB 1493 was placed on the Eleventh order on the calendar.